

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**TUESDAY, THE TWENTY SIXTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION NO: 9998 OF 2017

Between:

1. Mohd.Zahed, S/o. Late Abdul Jabbar, age- 42 years, Occ- Daily Wage Labour.
 2. Ghoushiya Begum @ Ghousia Begum,, W/o. Mohd. Zahed, age- 30 years, Occ-Housewife.
- Both are R/o. 19-2-21/23/55/A/20/C, Bashrath Nagar, Hyderabad.

...Petitioners/Accused Nos. 1 &2.

AND

1. The State of Telangana, Represented by its Public Prosecutor, High Court through Police Station, Falaknuma, Hyderabad.

..Respondent/Complainant

2. Asma Begum,, W/o. Mohd. Zahed, age- 32 years, Occ- Business, R/o. H.No.19-3-294/58/1, Fatima Nagar, Hyderabad.

...Respondent/De-facto Complainant

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to quash the proceeding in Crime No.114 of 2017, of Police Station Falaknuma, Hyderabad, pending on the file of the XVI Additional Chief Metropolitan Magistrate, Nampally, at Hyderabad.

I.A. NO: 1 OF 2017(CRLPMP. NO: 10966 OF 2017)

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to stay all further proceedings in Crime No.114 of 2017, Crime No.114 of 2017, of Police Station, Falaknuma, Hyderabad, pending on the file of the XVI Additional Chief Metropolitan Magistrate, Nampally at Hyderabad, including arrest of the petitioners pending disposal of the above criminal petition.

This Petition coming on for hearing,upon perusing the Memorandum of Grounds of Criminal Petition and upon hearing the arguments of Sri SHAKEEL AHMED, Advocate for the Petitioner and the Public Prosecutor on behalf of the Respondent No.1 and None Appeared for the Respondent No. 2.

The Court made the following: ORDER

THE HONOURABLE SRI JUSTICE K.SURENDER

CRIMINAL PETITION No. 9998 OF 2017

ORDER:

The Criminal Petition is filed under Section 482 of the Code of Criminal Procedure (for short Cr.P.C.) by the petitioners/Accused Nos.1 and 2 to quash the proceedings in C.C.No.114 of 2017 on the file of the XVI Additional Chief Metropolitan Magistrate, Nampally at Hyderabad. The alleged offences against accused are punishable under Sections 420, 494 of Indian Penal Code.

2. This Court by order, dated 31.10.2017 found that since the petitioner no.1 is a Muslim and by religion he married second time, no offence under Section 494 of Indian Penal Code is made out against him. Accordingly, all further proceedings were stayed.

3. None appeared for the petitioners. This Court deems it appropriate to direct the police to conclude investigation and file final report, keeping in view, the observations made by this Court that Section 494 of Indian Penal Code has no application in the present circumstances.

4. Accordingly, the Criminal Petition is disposed of.

Miscellaneous applications pending, if any, shall stand closed.

Sd/- MOHD. SANAULLAH ANSARI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The XVI Additional Chief Metropolitan Magistrate, Nampally, at Hyderabad.
2. The Station House Officer, Falaknuma Police Station, Hyderabad City
3. Two CC to the Public Prosecutor, High Court for the State of Telangana at Hyderabad [OUT]
4. One CC to SRI. SHAKEEL AHMED, Advocate [OPUC]
5. Two CD Copies

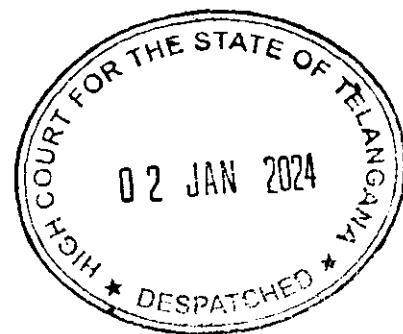
PSR



HIGH COURT

KS,J

DATED:26/09/2023



ORDER

CRLP.No.9998 of 2017

DISPOSING OF THE CRIMINAL PETITION.

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REMA
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21/12/2023